



**CITY PLAN COMMISSION MEETING
CITY COUNCIL CHAMBERS, 1ST FLOOR
MAY 8, 2014
1:30 P.M.**

MINUTES

The City Plan Commission met at the above place and date.

The meeting was called to order at 1:30 p.m. Commissioner Wright present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

Commissioner Loweree
Commissioner Brannon
Commissioner Erickson
Commissioner Wright
Commissioner Amoriello
Commissioner Ardovino
Commissioner Madrid

COMMISSIONERS ABSENT:

Commissioner Grambling

AGENDA

Commissioner Amoriello read the rules into the record. Carlos Gallinar, Deputy Director for Planning, read the revisions to the agenda into the record.

***ACTION:** Without objection, **REVISIONS TO THE AGENDA WERE APPROVED AS PRESENTED.**

AYES: Commissioner Loweree, Brannon, Erickson, Wright, Amoriello, Ardovino, and Madrid

ABSENT: Commissioner Grambling

Motion passed.

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I. CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Plan Commission on any items that are not on the City Plan Commission Agenda and that are within the jurisdiction of the City Plan Commission. No action shall be taken.

NO ACTION WAS TAKEN.
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II. CONSENT AGENDA

THERE WERE NO ITEMS UNDER THE CONSENT AGENDA.

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

PUBLIC HEARING Rezoning Application:

1. **PZRZ14-00012:** North 75 feet of Tract 228, Map of Sunrise Acres, City of El Paso, El Paso County, Texas
Location: 8707 Gateway South
Zoning: R-4 (Residential)
Request: R-4 (Residential) to A-O (Apartment-Office)
Existing Use: Business Office
Proposed Use: Business Office
Property Owner: Arturo de la Riva
Representative: Arturo de la Riva
District: 2
Staff Contact: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

***ACTION:** Without objection item #1, **PZRZ14-00012 WAS DELETED.**

Motion passed.

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PUBLIC HEARING Detailed Site Development Plan Application:

2. **PZDS14-00005:** A portion of Lot 2E, Block 14, Vista Del Sol Unit Ten Replat, City of El Paso, El Paso County, Texas
Location: 1225 Barranca Drive
Zoning: C-4/c (Commercial/conditions)
Request: Detailed Site Development Plan Review per Ordinance No. 012153 dated November 15, 1994
Existing Use: Vacant
Proposed Use: Fabricated metal product manufacturing
Property Owner: Jorge Gutierrez
Representative: Jesus Jaime
District: 7
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

Andrew Salloum, Planner, gave a presentation and noted that staff recommends approval of the detailed site development plan request.

Jesus Jaime, representing the owner, concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Amoriello, seconded by Commissioner Ardivino, and unanimously carried to **APPROVE PZDS14-00005.**

Motion passed.

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PUBLIC HEARING Special Permit Application:

3. **PZST14-00012:** Lots 13, 14, and 15, Block 17, Del Norte Acres, City of El Paso, El Paso County, Texas
Location: 8894 and 8898 Gateway North Boulevard
Zoning: A-2 (Apartment)
Request: Special Permit to allow for a Medical Office in A-2 zone district
Existing Use: Vacant
Proposed Use: Medical Office
Property Owner: Dr. Dipak Patel
Representative: Angel Ramos-Tamayo
District: 2
Staff Contact: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

***ACTION:** Without objection, item **PZST14-00012 WAS POSTPONED FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 22, 2014.**

Motion passed.

Subdivision Applications:

SUBDIVISION MAP APPROVAL:

Major Preliminary:

4. **SUSU14-00033:** Mesquite Trails Unit Ten – A portion of Section No. 16, Block79, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas
Location: East of Sun Fire and North of Pellicano
Property Owner: Americas Loop 375 Joint Venture
Representative: CEA Group
District: 6
Staff Contact: Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov

Nelson Ortiz, Planner, gave a presentation and noted that the applicant is requesting a modification to allow a 52 foot right-of-way with 32 feet of pavement and 5-foot sidewalks and parkways on both sides. Staff recommends approval of the modification and approval of Mesquite Trails Unit Ten subject to the following requirement and condition: *That prior to approval of the final plat, construction of a second point of access (Charrington Street) to Vista Del Sol as shown in the Paseos Del Sol Land Study shall be filed and completed.*

The applicant was not present.

ACTION: Without objection, **ITEM #4 WAS MOVED TO THE END OF THE AGENDA.**

Jorge Azcarate with CEA Group concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE SUSU14-00033.**

Motion passed.

Major Final Reconsideration:

5. **SUSU12-00060:** West Texas Estates– A portion in the NW ¼ of Section 18, and a portion of Section 17, Block 79, Township 3, T & P Railroad Surveys, El Paso County, Texas
- Location: South of Pellicano and East of Aviation Way
- Property Owner: Akam Pellicano, LLC.
- Representative: SCMC
- District: ETJ
- Staff Contact: Alejandro Palma, (915) 212-1607, palmaai@elpasotexas.gov

Alejandro Palma, Planner, gave a presentation and noted that West Texas Estates is being reconsidered per a request by the applicant to remove the previously approved landscaping condition and a request to use Section 19.11.050 in order to defer the construction of improvements in the City's extra territorial jurisdiction (ETJ). Staff recommends approval of West Texas Estates on a Major final basis, approval of the deferred construction per Section 19.11.050 and removal of the landscaping condition. This application request is being reviewed under the current subdivision code.

Kimberly Forsyth, Lead Planner, noted that because this is in the ETJ, the county does not want the landscaping to be installed at this time. It is in the path of annexation, so the deferral anticipates the possibility that it would be annexed within the next ten years. That's why we're receiving the escrow amount. That will allow the city, at that time to install landscape in the parkways and medians, if they want. If it's not annexed in the ten years, then the escrow amount will be returned to the developer.

Steve Sambrano, representing the owner, concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Erickson, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE SUSU12-00060.**

Motion passed.

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Major Combination:

6. **SUSU14-00034:** Painted Sky at Mission Ridge– A portion of C.D. Stewart Survey No. 319 and Section No.22, Block 79, Township 3, Texas and Pacific Railway Surveys, El Paso County, Texas
- Location: North of Eastlake Boulevard and East of Joe Battle Boulevard
- Property Owner: Hunt Mission Ridge, LLC.
- Representative: CSA
- District: ETJ
- Staff Contact: Alejandro Palma, (915) 212-1607, palmaai@elpasotexas.gov

Alejandro Palma, Planner, gave a presentation and noted that there is a revised staff report for this item. Staff recommends approval of the plat and approval of the alternative design as the proposed design meets the intent and has the same or higher level of service or adequacy as the original required improvements in accordance with Section 19.26.040. This development is vested under the subdivision code in effect prior to June 1, 2008.

John Karlsruher with CSA concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Madrid, seconded by Commissioner Ardovino, and carried to **APPROVE SUSU14-00034.**

AYES: Commissioner Brannon, Erickson, Wright, Amoriello, Ardovino, and Madrid

NOT PRESENT FOR THE VOTE: Commissioner Loweree

ABSENT: Commissioner Grambling

Motion passed.

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PUBLIC HEARING Street ROW Vacation:

7. **SURW14-00002:** Cliff Street Vacation – A portion of Right of Way of Cliff Drive, City of El Paso, El Paso County, Texas
 Location: 1700 Cliff Drive
 Property Owner: E. P. Cliff
 Representative: SLI Engineering
 District: 8
 Staff Contact: Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov

Alfredo Austin, Planner, gave a presentation and noted that there is a revised staff report for this item. The applicant is proposing to vacate a portion of Cliff Drive right-of-way measuring approximately 1 foot by 160 feet and a portion of Golden Hill Terrace right-of-way that varies in width between 1 foot – 8.65 feet and is approximately 117 feet in length, in order to correct an existing rock wall encroachment. Staff received two phone calls requesting information only. Staff recommends approval of the proposed street vacation.

Georges Halloul with SLI Engineering concurred with staff's comments.

Commissioner Wright asked if there was anyone in the public who wished to speak in favor or against this request.

Fernando Montes who lives at 1800 Cliff Drive spoke in opposition to this request noting that any modification to the property would impact his property.

He was advised by staff to speak with someone from the Transportation Department to discuss parking issues in the area.

ACTION: Motion made by Commissioner Erickson, seconded by Commissioner Madrid, and unanimously carried to **APPROVE SURW14-00002.**

Motion passed.

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Other Business:

8. Discussion and action on the City Plan Commission minutes for:
 April 24, 2014

ACTION: Motion made by Commissioner Brannon, seconded by Commissioner Amoriello, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR APRIL 24, 2014.**

Motion passed.

9. Discussion and action on:
Zoning Code vs. Building Code Re: Apartment Uses

Commissioner Wright noted that there is confusion in the Zoning Code vs. the Building Code regarding apartment uses. He asked if any language could be added clarifying when apartments are residential and when they are commercial.

Carlos Gallinar, Deputy Director for City Development - Planning, noted that staff is very mindful on how policies may affect someone's timelines and budget. Nevertheless, he noted that there are instances where codes are misinterpreted. He spoke about the multi-family apartment issue in terms of how it pertains to zoning. Mr. Gallinar noted that the zoning and building codes are two different codes/two different provisions and staff is aware of the conflicts that it may have on the private sector trying to do their developments efficiently and trying to expedite their process. He gave an explanation of permissible uses. From a land use perspective, apartments are residential uses which are allowed in certain commercial zoning districts but not in residential zoning districts. The residential zoning districts are strictly for single family homes with the exception of R-4 and R-5 which allow duplexes.

Mr. Victor Morrison-Vega, City Development – Building Official, spoke regarding the apartment issue and how it pertains to Building Codes. He noted that staff is in the process of starting the development of stakeholders meetings and review of the 2015 cadre of codes. As the Building Official, his responsibility is public safety. The International Building Code basically separates two units from everything else. Technically, if you have four units or less, you are considered to be operating under the Residential Code. If you have five units or more, then you are considered to be operating under the Commercial Code because more restrictions are applied in terms of fire operations, fire sprinklers requirements, and proximity to other units. The Building Code, in essence, separates the two very efficiently to say four units or less is a residential building and five units or more is a commercial building. Apartments start at five units or more and that is a consistency, at least in the Building Code.

Mr. Gallinar noted that when there are inconsistencies, staff works extremely hard to remedy them. Now that it has been brought to staff's attention, staff will work extra hard when there are inconsistencies of the code or when staff feels that it may cause confusion for the commission or the applicant. Staff will flag those and bring them to the commission for amendments. Mr. Morrison's suggestion of keeping the commission abreast and updated on his work may also help to cross reference between zoning and subdivisions.

No action was taken.

10. Discussion and action on a request that City staff review Titles 18, 19, 20, and 21 of the El Paso City Code to identify inconsistent standards which are applied to residential and nonresidential uses allowed in the same zoning district.
Staff Contact: Carlos Gallinar, (915) 212-1559, gallinarrc@elpasotexas.gov

ACTION: Without objection, **ITEM 10 WAS DELETED.**

11. Discussion and action on the selection of additional intersections for installation of Red Light Camera Systems.

- a. Edgemere/Joe Battle
- b. Sean Haggerty/Gateway North
- c. Fred Wilson/Gateway North
- d. Desert/Mesa
- e. Paisano/Gateway North

Staff Contact: Sgt. Glenn Shelley, (915) 564-7229, 1650@elpasotexas.gov

Sgt. Shelley Glenn gave a presentation and noted that he will be presenting the possibility of putting two red light cameras at two intersections. One at the intersection of Fred Wilson/Gateway North and the other one at Paisano/Gateway North. The El Paso Police Department is always coming up with initiatives for traffic safety for reducing the amount of accidents especially those that are more serious. In 2012 when he became the Coordinator for the Red Light Camera Program he was asked to look at the intersections with more accidents for an 18 month period. The purpose for the 18 month period, according to the Texas Transportation Code, in order to install cameras he has to look at traffic accidents prior to 18 months prior to him asking for the expansion of the program. He created a spreadsheet with 15 intersections with crashes in them from the dates of May 16, 2010, to October 16, 2012 as per the T.T.C. Part of the process in order for him to come before the commission he had to have a survey done by the El Paso Department of Transportation and Redflex, which is the company which installs the red light cameras. The survey takes approximate one year to one and a half years to be completed. They randomly go out to these intersections that Sgt. Glenn requests. Both T.T.C. and Redflex have to agree in order for Sgt. Glenn to come to the commission and for those cameras to be installed and that's per the Transportation Code, Title 7. He is requesting approval from the commission in order for these three cameras to be installed.

ACTION: Motion made by Commissioner Ardivino, seconded by Commissioner Amoriello, and carried to **APPROVE THE RED LIGHT CAMERA SYSTEMS AT FRED WILSON/GATEWAY NORTH AND PAISANO/GATEWAY NORTH.**

AYES: Commissioner Loweree, Brannon, Erickson, Wright, Amoriello, and Ardivino

NAYS: Commissioner Madrid

ABSENT: Commissioner Grambling

Motion passed (6-1 vote).

12. Planning Report:

- a. City Development – Planning Division Metrics Report
- b. Annual Report to City Council

***ACTION:** Without objection, **THE ANNUAL REPORT TO CITY COUNCIL WAS POSTPONED FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 22, 2014.**

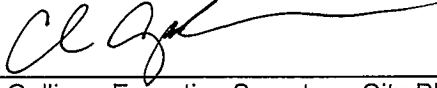
Motion passed.

Mr. Gallinar noted that staff is working on an item regarding de Detailed Site Development Plan and the Landscape Ordinance that Commissioner Ardivino requested and will be presented to the commission at a later date.

ADJOURNMENT:

Without objection, the meeting was adjourned at 2:45 p.m.

Approved as to form:

A handwritten signature in black ink, appearing to read 'Cl Gallinar', written over a horizontal line.

Carlos Gallinar, Executive Secretary, City Plan Commission